

NOT FOR PUBLICATION

(Doc. Nos 24, 27)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

JOSE RIVERA,

Plaintiff,

v.

CHUCK CAPPELLI et al.,

Defendants.

Civil No. 10-5546 (RBK/JS)

ORDER

THIS MATTER having come before the Court upon 1) Defendants' Motion for Sanctions (Doc. No. 24) and 2) the issuance of the Report and Recommendations ("the Report") (Doc. No. 27); and the Court having considered the Defendants' submission and the Report; and

IT APPEARING TO THE COURT that Plaintiff has not filed a response to Defendants' Motion for Sanctions; and

THE COURT NOTING that the Report recommends, based on the six factors enunciated in Poulis v. State Farm Fire and Cas. Co., 747 F.2d 863, 868 (3d Cir. 1984), that the Court dismiss Plaintiff's Complaint; and

THE COURT FURTHER NOTING that the Report set a deadline for any objections to the Report to be filed by March 1, 2012; and

THE COURT FURTHER NOTING that to date, no objections have been filed to the Report; and

THE COURT FINDING the Report's analysis of the six Poulis factors to be accurate and fair; and

THE COURT FURTHER FINDING that adoption of the Report's recommendation that Plaintiff's Complaint be dismissed would be a just and proper resolution of this case;

IT IS HEREBY ORDERED that the Court adopts the findings of fact and conclusions of law contained in the Report and Recommendation (Doc. No. 27); and

IT IS FURTHER ORDERED that Plaintiff's Complaint is hereby **DISMISSED**. The Clerk is directed to close the file.

Dated: 5/9/12

/s/ Robert B. Kugler
ROBERT B. KUGLER
United States District Judge